

May 27, 2010

Media Contact: Douglas Rivlin (202) 225-8203

FOR IMMEDIATE RELEASE

(Washington, DC) – Today, Congressman Luis V. Gutierrez (D-IL), introduced an amendment to the Defense Reauthorization bill, being debated on the House floor, which calls on the Secretary of Defense to reevaluate all defense contracts with BP and consider debarring BP if it is determined not to be a "responsible source." According to the Federal Acquisition Regulations, all federal contractors must meet the definition of a "responsible source," one provision of which states that the prospective contractor "has a satisfactory record of integrity and business ethics."

"There is ample evidence leading up to and including the current disaster in the Gulf of Mexico that BP is not a 'responsible source' and shows a consistent disregard for federal law and the lives and livelihoods of Americans," Rep. Gutierrez said. "All I am asking my colleagues to do is to join me in asking the Secretary of Defense to take a very close look at BP's Bad Behavior and Broken Promises, and levy the Big Penalty of cutting them off the Billions in Profits they make, partially from defense contracts."

According to the USASpending.gov, in 2009, BP had \$2 billion worth of business under federal contracts with the Department of Defense. The Gutierrez amendment, Amendment #125 to [H. R. 5136](#)

- the National Defense Authorization Act for Fiscal Year 2011 -- would preserve the discretion of the Secretary to determine if BP remains a "responsible source" and what course of action to take if they are not.

But, he said, "By passing the amendment, the Congress will be making a clear statement that they want the Secretary to look into BP's contracts and consider debarment if he feels -- as the Congress does -- that action is warranted. Business as usual is not sound business when it comes to BP."

"In this economic climate where great attention is paid to ensure that every taxpayer dollar is well spent, it should not be difficult for the Department of Defense to find an alternative source for the services that BP provides and one that actually follows the law and protects its workers and the environment," Rep. Gutierrez said. "The safety and readiness of our troops is not jeopardized by asking that the Department of Defense insist on minimum standards of acceptable performance and integrity."

In introducing his amendment, Rep. Gutierrez cited multiple violations of safety and environmental laws by BP, including violations related to BP's Texas City refinery explosion in 2005 and violations related to BP's Toledo, Ohio plant just two months ago. The Congressman also pointed to BP's own corporate website, quoting excerpts from BP's "Code of Conduct" for employees during his floor speech to introduce the amendment.

"BP states that they are 'committed to providing all BP employees...with a safe and secure work environment where no one is subject to unnecessary risk,'" Rep. Gutierrez said, quoting the BP [website](#). "These words ring hollow when you consider the lost lives, hundreds of OSHA violations and millions of dollars in fines. Their actions speak much louder than words and now 37 days into what may be the worst ecological disaster in our history, it is clear BP does not meet its own 'commitment to integrity.'"

###

Recent floor speeches by Rep. Gutierrez in response to the BP Gulf oil disaster can be viewed at the Congressman's [YouTube channel](#), including speeches on [5/27](#), [5/26](#), [5/25](#), [5/19](#),

and
[5/18](#)

.